

REMARKS/ARGUMENTS

Reconsideration of this application in light of the following comments is courteously solicited.

Applicant respectfully requests the examiner to reconsider the rejection of claims 27 and 28 in light of the submission of the declaration of James R. Kittrell submitted concurrently herewith in combination with the previously submitted declarations of March 6, 2006 and August 23, 2006.

Applicant would like to thank the examiner for the courtesies extended during a telephone discussion on July 11, 2007. In accordance with the discussion and the comments made in the Examiner's last office action, Applicant submits herewith a new declaration with additional catalyst examples which demonstrate the criticality of the relative amounts of silica, titania and tungsten oxide in order to obtain the superior catalyst activity of the catalyst of the present invention. It is submitted that the test results of catalyst activity of new catalysts 1, 2 and 3 set forth in the instant declaration in combination with those catalysts referred to in Applicant's previously filed declarations of March 6, 2006 and August 23, 2006 clearly demonstrate the criticality of the composition of the present invention. The catalyst of the present invention as claimed contains silica, tungsten oxide, titanium, oxygen and platinum. The test data submitted in the three declarations establishes the criticality of the composition of the claimed catalyst support. With the components as claimed in the catalyst support it is submitted that it is impossible to predict the proper combination of amounts of the components by routine experimentation. The criticality of the composition has been established. Accordingly, it is submitted that the claims as pending are patentable over the prior art.

The early issuance of a Notice of allowance is respectfully requested.

An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.

It is submitted that the claims as amended herein patentably define over the art relied on by the Examiner and early allowance of same is courteously solicited.

If any fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 02-0184.

Respectfully submitted,

James R. Kittrell

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Date: August 6, 2007

I, Rachel Piscitelli, hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313" on August 6, 2007.

